

REMARKS

The application has been reviewed in light of the Office Action dated July 15, 2004. Claims 1-23 are pending, with claims 1, 8, 15 and 23 being in independent form. By this Amendment, claims 2 and 9 have been amended to place the claims in better form for examination.

Claims 2 and 9 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite.

By this Amendment, claims 2 and 9 have been amended to correct the formal matter noted in the Office Action.

Withdrawal of the rejection under 35 U.S.C. §112 is respectfully requested.

Claims 1, 8, 15, 22 and 23 were rejected under 35 U.S.C. §102(e) as purportedly anticipated by U.S. Patent No. 6,671,508 to Mitsuoka et al. Claims 2-6, 9-13 and 16-20 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Mitsuoka in view of U.S. Patent No. 6,208,658 to Pickett. Claims 7, 14 and 21 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Mitsuoka in view of Pickett and further in view of U.S. Patent No. 5,923,440 to Goto.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that claims 1, 8, 15 and 23 are patentable over the cited art, for at least the following reasons.

This application relates to use by a communications terminal of communications services provided by a service provider. Service providers typically make available to users of communication terminals an abundance and variety of communications services. However, each communications service may require a setting of conditions suitable for the communications

service. Conditions suitable for one communications service may be different from conditions suitable for another similar (or divergent) communications service. In order to obtain the benefit of a desired communications service on a communication terminal, the communications terminal must be set to conditions suitable to the desired communications service. Some examples of conditions settings are included on pages 1-3 of the application.

The present application describes assorted features which enable a user to readily set the communications terminal to obtain the benefit of available communications services. The claimed invention (claims 1, 8, 15 and 23) of the present application provides for providing and/or storing service information, including (i) availability information representing availability of a specific communications service provided by a service provider through a telephone line and/or a local area network and (ii) condition information (also referred to as “pertinent information” in the specification) indicating conditions suitable for the specific communications service. In addition, means are provided for detecting whether the service information is appropriate each time the communications terminal starts a call connection operation to use the specific communications service based on the condition information. If it is determined that the stored service information (including condition information) is inappropriate, a message indicating that the specific communications service is not usable is provided to the user.

Mitsuoka, as understood by Applicant, is directed to a mobile communication terminal having a phonebook wherein an entry in the phonebook can include information corresponding to alternative communication services (such as mobile phone, landline phone, short text message, electronic mail, etc.) for contacting a corresponding person. The user of the mobile terminal can select a desired communication service for communicating with a recipient.

Applicant does not find disclosure or suggestion in Mitsuoka of (1) providing and/or

storing service information, including condition information indicating conditions suitable for the respective communication services, (2) detecting upon initiation of a call connection operation seeking to use a selected communication service, whether the selected communication service is suitable in relation to the stored condition information, and (3) if it is determined that the selected communication service is not suitable in relation to the stored condition information, indicating to the user that the selected communication service is not usable, as provided by the claimed invention of this application.

It is contended in the Office Action that Mitsuoka discloses (i) at col. 23, lines 5-8, storing availability information representing availability of a specific communications service provided by a service provider, and (ii) at col. 23, lines 40-54, storing condition information indicating conditions suitable for the specific communications service.

Applicant disagrees.

Mitsuoka states as follows at col. 22, line 63 through col. 23, line 54.

The mobile communication system includes the mobile communication network 101 and a plurality of mobile terminals 111. The mobile communication network 101 includes a plurality of base stations 112, a mobile communication switcher 113, a DB administrator 114, and a status DB 115. The each of the base station 112 communicates with the mobile terminals 111 when one of the mobile terminal 111 is within a predetermined area serviced by one of the base stations 112. The base stations 112 send and receive signals to and from the mobile terminals 111. The mobile communication switcher 113 sends and receives data to and from the plurality of base stations 112, other mobile communication switchers, and fixed-line telephone network. **As the mobile communication switcher 113 receives a request for call from a mobile terminal 111, the mobile communication switcher 113 updates the communication status of that mobile terminal 111.** Then, the mobile communication switcher 113 notifies the DB administrator 114 of the change in the communication status. The DB administrator 114 records the communication status of the mobile terminal according to the notification from the mobile communication switcher 113. Examples of communication status to be recorded include "No Communication", "Line Busy", "Out of Area" or "Turned Off", and "In which Area".

(1) Notifying Portion 102

FIG. 15 is a block chart that illustrates operation of the notifying portion 102. The notifying portion 102 includes a communication interface (I/F) 121, a processor 22, a table administrator 123, a memory portion 124, a storage portion 125, and a sender 126.

Referring to data stored in the memory portion 124, the memory portion 124 includes a correspondence table, a license table, and a status table. FIG. 16 is an example of the correspondence table. The correspondence table stores addresses of monitorors, addresses of monitorees, and conditions for notification, such that the monitorors' and monitorees' addresses and conditions for notification correspond with one another. As will be described below, the addresses and the conditions are configured by "monitorors". A monitoror is a user who receives notifications regarding statuses of other users who are being monitored. The monitorees are users whose status is monitored and changes in status are reported to the monitoror. Communication addresses that specify each mobile communication terminal are utilized as the "monitoror's address" and the "monitoree's address". In this embodiment, the communication address is phone number. **"Condition for Notification" defines conditions when changes in the status of a monitoree are notified to the monitoror, more specifically, of what kind of status changes of the monitoree are to be reported to the monitoror.** For instance, if "Condition for Notification" is "All", the monitoree notifies all changes in status to the monitoror. If "Condition for Notification" is "Callable", the monitoree notifies the monitoror of current status only when the monitoree's communication status becomes "Callable". A user's communication status becomes "Callable" when, for instance, the mobile terminal of the monitoree enters "Within Area", or when the monitoree finishes the previous call and gains "No Communication" status.

Thus, Mitsuoka discloses at col. 23, lines 8-12 that when mobile communication switcher 113 receives a request for call from a mobile terminal 111, the mobile communication switcher 113 updates the communication status of that mobile terminal 111.

However, contrary to the contention in the Office Action, Mitsuoka does not disclose or suggest storing availability information representing availability of a specific communications service provided by a service provider, as provided by the claimed invention of this application.

Similarly, Mitsuoka discloses at col. 23, lines 40-54 that means can be provided for setting "Conditions for Notification, i.e., "conditions when changes in the status of a monitoree are notified to the monitoror, more specifically, of what kind of status changes of the monitoree are to be reported to the monitoror." In other words, a mobile terminal can request to be notified

when the status of another mobile terminal changes.

However, while Mitsuoka is concerned with monitoring status of a terminal, Mitsuoka simply does not disclose or suggest utilizing condition information indicating conditions suitable for a specific communications service, as provided by the claimed invention of this application.

Mitsuoka is concerned with notifying a mobile terminal of the availability of another mobile terminal, and not with the availability of a specific communications service or the conditions suitable for the specific communications service.

Pickett, as understood by Applicant, is directed to transmission and reception of voice and data in multiple modes. Pickett was cited in the Office Action as purportedly disclosing remote diagnostics and fix capabilities.

Goto, as understood by Applicant, is directed to a facsimile apparatus which includes means for monitoring causes of communication problems and generating a monitor report.

Applicant does not find disclosure or suggestion in the cited art, however, of (1) providing and/or storing service information including (a) availability information representing availability of a specific communications service provided by a service provider through a telephone line and/or a local area network and (b) condition information indicating conditions suitable for the respective communication services, (2) detecting upon initiation of a call connection operation seeking to use a selected communication service, whether the selected communication service is suitable in relation to the stored condition information, and (3) if it is determined that the selected communication service is not suitable in relation to the stored condition information, indicating to the user that the selected communication service is not usable, as provided by the claimed invention of the present application.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that

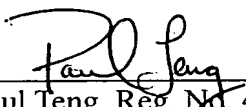
independent claims 1, 8, 15 and 23, and the claims depending therefrom, are patentable over the cited art.

In view of the amendments to the claims and remarks hereinabove, Applicant submits that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



Paul Teng, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel.: (212) 278-0400